United Nations A/62/492–S/2007/616

General Assembly
Security Council

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General Assembly
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Agenda items 19, 35, 51, 54 (a), 54 (c), 54 (i), 56 (a), 71 (a), 93, 96, 98 (h), 98 (q), 98 (u), 107, 108 and 117

Security Council
Sixty-second year

The situation in Afghanistan

Questions relating to information

Information and communication technologies for development

Sustainable development: implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development

Sustainable development: International Strategy for Disaster Reduction

Sustainable development: promotion of new and renewable sources of energy

Globalization and interdependence: globalization and interdependence

Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: strengthening of the coordination of emergency humanitarian assistance of the United Nations

Developments in the field of information and telecommunications in the context of international security

Prevention of an arms race in outer space

General and complete disarmament: promotion of multilateralism in the area of disarmament and non-proliferation

General and complete disarmament: transparency and confidence-building measures in outer space activities

07-55652 (E) 291007 301007

General and complete disarmament: confidence-building measures in the regional and subregional context

International drug control

Measures to eliminate international terrorism

United Nations reform: measures and proposals

Letter dated 17 October 2007 from the Permanent Representative of Tajikistan to the United Nations addressed to the Secretary-General

On behalf of the following Permanent Missions of States Members of the United Nations which are also members of the Shanghai Cooperation Organization — China, Kazakhstan, Kyrgyzstan, the Russian Federation, Tajikistan and Uzbekistan — I have the honour, as a representative of the country chairing the Shanghai Cooperation Organization, to transmit herewith the Bishkek Declaration of the Meeting of the Council of Heads of State of the Shanghai Cooperation Organization held on 16 August 2007 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 19, 35, 51, 54 (a), (c) and (i), 56 (a), 71 (a), 93, 96, 98 (h), (q) and (u), 107, 108 and 117, and of the Security Council.

(*Signed*) Sirodjidin **Aslov**
Ambassador
Permanent Representative

Annex to the letter dated 17 October 2007 from the Permanent Representative of Tajikistan to the United Nations addressed to the Secretary-General

[Original: Chinese and Russian]

Bishkek Declaration

The heads of the member States of the Shanghai Cooperation Organization (hereinafter referred to as the SCO or the Organization) — the Republic of Kazakhstan, the People's Republic of China, the Kyrgyz Republic, the Russian Federation, the Republic of Tajikistan and the Republic of Uzbekistan, held a meeting of the Council of Heads of SCO member States on 16 August 2007 in Bishkek. Guided by united or similar approaches to key current issues, they made the following Statement:

As the quickly evolving process of globalization intensifies the interdependence of States, their security and development become interconnected as a result. Only through the concerted efforts of the entire international community, based on agreed principles and by means of multilateral mechanisms, can modern challenges and threats be effectively counteracted. Unilateral action cannot resolve existing problems.

An effective global security system can only be built under the auspices of the United Nations and in strict accordance with its Charter.

Cooperation in counteracting new challenges and threats must be carried out in a consistent manner, free of double standards, and in strict observance of the norms of international law.

The international security agenda must not overlook such tasks as ensuring the continued stability of the world economy, reducing poverty, eliminating imbalances in social and economic development levels, maintaining economic, environmental, energy, and informational security, and protecting the populations and territories of the member States of the Organization against natural and technological disasters.

The SCO member States advocate the creation of a security structure based on generally accepted international legal norms that will:

- reflect the balance of interests of all subjects of international relations;
- guarantee the right of every State independently to choose its path of development based on its unique historical experience and national conditions, to protect its national integrity and the dignity of its people, and its right to participate in international affairs on an equal basis;
- ensure the settlement of international and regional conflicts and crises through political and diplomatic means in strict accordance with the principles and norms of international law and with due consideration of the legitimate interests of all parties concerned; and
- preserve the diversity of cultures and civilizations, and encourage the strengthening of dialogue among different civilizations and religions.

The SCO member States are determined to cooperate closely in tackling the issue of United Nations reform. The reform of the United Nations, and first and foremost of its Security Council, must proceed on the basis of the broadest consensus of its members. Successful cooperation in this area is the key to comprehensive strengthening of the United Nations, reaffirming the central role of the Security Council in the maintenance of international peace and security, and the full realization of the interests of all SCO member States.

The SCO member States consistently advocate the strengthening of strategic stability and oppose the proliferation of weapons of mass destruction. They also consider the drafting of an international legal document on preventing the deployment of weapons in outer space, as well as on preventing the use of force or the threat of using force against space objects, to be an important and urgent step.

The heads of State note the significance of the ratification of the Central Asia Nuclear-Weapon-Free Zone Treaty in Semipalatinsk on 8 September 2006, and welcome the adoption of the respective resolution at the sixty-first session of the United Nations General Assembly. That resolution favourably evaluates the contribution of the Central Asian States to the causes of consolidating the nuclear non-proliferation regime, advancing cooperation on peaceful uses of nuclear energy, and strengthening international and regional peace and security.

The heads of State support the efforts of the participating States of the Central Asia Nuclear-Weapon-Free Zone Treaty to conclude a Protocol on Security Guarantees with the nuclear-weapon States, in order to ensure that the region becomes a genuine nuclear-weapon-free zone in the region.

The heads of the SCO member States recognize the stimulative effect of the rapid development and massive use of information and communication technology on the social progress of humanity, and express concern over the potential threat of such technology being used for purposes inconsistent with the task of protecting international stability and security.

The SCO member States stand ready to promote cooperation on strengthening international information security in all aspects, and to step up joint efforts in this regard.

The heads of State believe that stability and security in Central Asia should rely first and foremost on the power of the region's States, and guaranteed through international organizations already established in the region.

The member States stress the need for collective efforts to counteract new challenges and threats. They favourably evaluate the activity of the SCO Regional Antiterrorist Structure and believe that it possesses great potential for further enhancing cooperation in the fight against terrorism, separatism and extremism.

Expressing concern over the threat of narcotics originating in Afghanistan and their danger to Central Asia, the heads of State call for consistent strengthening of anti-narcotics cooperation within the framework of the Organization, and for combining international efforts to create "anti-narcotics safety zones" around Afghanistan. The SCO member States stand ready to participate in efforts to normalize the political situation in Afghanistan, to develop economic cooperation with the country, and intensify the activity of the SCO-Afghanistan Contact Group.

The heads of the SCO member States note the important role of the energy sector as a basis for steady economic growth and security, and attach special significance to strengthening interaction in this area. Reliable and mutually beneficial partnerships in various fields of the energy sector will help strengthen security and stability across the SCO region as well as in the wider world. Comparison of energy strategies in the SCO framework is a pressing task. Considering current resources, demand, capabilities and potential, the SCO member States will continue to promote dialogue on energy issues and practical cooperation among energy-producing, transit and consuming States.

The SCO member States reaffirm their commitment to provide mutual practical assistance in implementation of national economic development programmes.

The SCO member States reiterate that the Organization is open for interaction with all interested partners on the basis of international law and the generally accepted norms of international relations with the aim of finding mutually acceptable solutions for the key current issues.

(*Signed*) N. **Nazarbaev**
President
Republic of Kazakhstan

(*Signed*) **Hu** Jintao
President
People's Republic of China

(*Signed*) K. **Bakiev**
President
Kyrgyz Republic

(*Signed*) V. **Putin**
President
Russian Federation

(*Signed*) E. **Rakhmon**
President
Republic of Tajikistan

(*Signed*) I. **Karimov**
President
Republic of Uzbekistan

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General Assembly

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Sixty-second session
Agenda items 7 and 10

Organization of work, adoption of the agenda and allocation of items: reports of the General Committee

Report of the Peacebuilding Commission

Letter dated 18 October 2007 from the Permanent Representative of Japan to the United Nations addressed to the President of the General Assembly

In my capacity as the Chairman of the Peacebuilding Commission, I have been mandated by the States members of the Organizational Committee of the Commission to request that item 10 of the agenda of the sixty-second session of the General Assembly, entitled "Report of the Peacebuilding Commission", be also allocated to the Fifth Committee for the sole purpose of considering the question of financing field missions of the Peacebuilding Commission, as noted in paragraph 43 of the report of the Commission on its first session (A/62/137-S/2007/458).

(*Signed*) Yukio **Takasu**
Chairman, Peacebuilding Commission
Permanent Representative of Japan to the United Nations

07-55375 (E) 191007

United Nations A/62/494

General Assembly

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Sixty-second session
Agenda item 24
Question of the Falkland Islands (Malvinas)

Note verbale dated 16 October 2007 from the Permanent Mission of Argentina to the United Nations addressed to the Secretary-General

The Permanent Mission of Argentina to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to enclose herewith the text of a note which was transmitted by the Embassy of the Argentine Republic in the United Kingdom of Great Britain and Northern Ireland to the Latin America team of the United Kingdom Foreign and Commonwealth Office (see annex).

In this regard, the Government of the Argentine Republic would be grateful if this note and its annex could be circulated as an official document of the General Assembly at its sixty-second session under agenda item 24: Question of the Falkland Islands (Malvinas).

07-55413 (E) 231007 261007

Annex to the note verbale dated 16 October 2007 from the Permanent Mission of Argentina to the United Nations addressed to the Secretary-General

London, 11 October 2007

The Embassy of the Argentine Republic in the United Kingdom of Great Britain and Northern Ireland presents its compliments to the Latin America team of the Foreign and Commonwealth Office and wishes to refer to the issuance of illegal licences for activities related to the exploration for and exploitation of hydrocarbons on the continental shelf of the Argentine Republic in the area of the Malvinas Islands, and the involvement in this of BHP Billiton and Falkland Oil and Gas Limited.

The Government of Argentina reaffirms to the Government of the United Kingdom all communications submitted on this matter, including the press release of 18 September 1992 in which Argentina rejected the unilateral British decision to open to tender areas of the Argentine continental shelf for prospecting, as announced at the time by the United Kingdom, and the note of 5 October 2000, which refers to the Offshore Petroleum (Licensing) Regulations 2000 dated 26 August and 29 September 2000.

Furthermore, the claim that is the subject of this protest is one of a series of unilateral British actions that led the Argentine Government, inter alia, to terminate, as of 27 March of this year, the United Kingdom and Argentine Joint Declaration of 27 September 1995 on Cooperation over Offshore Activities in the South West Atlantic, which was concluded under the safeguarding of sovereignty formula and refers to exploration for and exploitation of hydrocarbons in the area subject to the sovereignty dispute.

The Government of Argentina rejects such a claim and formally protests against this latest unilateral British action, which violates the sovereignty of the Argentine Republic over the Malvinas Islands, South Georgia and South Sandwich Islands and the surrounding maritime areas, which are an integral part of Argentine national territory.

This latest unilateral action is also clearly contrary to the obligations placed on the United Kingdom, which emanate from the existence of the sovereignty dispute and from the pronouncements made by the United Nations in that respect.

The attitude of the United Kingdom is incompatible with the provisions of General Assembly resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25, which recognize the existence of a sovereignty dispute, referred to as the "question of the Falkland Islands (Malvinas)", and which urge the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to resume negotiations in order to find a peaceful solution to the dispute as soon as possible.

In particular, this attitude is incompatible with General Assembly resolution 31/49, which calls upon the two parties to refrain from taking decisions that would imply introducing unilateral modifications in the situation while the islands are going through the process recommended in the resolutions of the United Nations.

The Government of Argentina reiterates its rights to sovereignty over the Malvinas Islands, South Georgia and South Sandwich Islands and the surrounding maritime areas, which are part of its national territory.

The Embassy of the Argentine Republic in the United Kingdom of Great Britain and Northern Ireland takes this opportunity to convey to the Latin America team of the Commonwealth and Foreign Office the assurances of its highest consideration.

United Nations A/62/495–S/2007/620

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Security Council

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General Assembly
Sixty-second session
Agenda item 17
The situation in the Middle East

Security Council
Sixty-second year

Identical letters dated 18 October 2007 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On the instructions of my Government, I transmit to you herewith a statistical summary of Israeli violations from 8 to 14 October 2007 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the sixty-second session of the General Assembly, under agenda item 17, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

07-55506 (E) 221007 221007

Annex to the identical letters dated 18 October 2007 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Subject: Israeli violations, acts of aggression and other activities from 8 to 14 October 2007 inclusive

Air violations

On 8 October 2007, at 1030 hours, enemy Israeli military aircraft were heard over Jabal al-Baruk (in the area of the radar installation). A parachute carrying a foreign object of unknown nature was seen in the Bekaa area. It landed behind the radar installation at the foot of Jabal al-Baruk on the Shuf side.

Between 1034 hours and 1205 hours, two enemy Israeli warplanes violated Lebanese airspace over Rumaysh in a northerly direction and circled over the North, the Bekaa, Beirut and the South. They then left Lebanese airspace over al-Naqurah.

Between 1034 hours and 1205 hours, two enemy Israeli warplanes violated Lebanese airspace over Rumaysh in a northerly direction and circled over the North, the Bekaa, Beirut and the South. They then left Lebanese airspace over al-Naqurah.

Between 1849 hours and 2015 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off al-Naqurah and circled over Beirut. It then departed Lebanese airspace over the sea off al-Naqurah.

On 9 October 2007, between 1030 hours and 1120 hours, two enemy Israeli warplanes violated Lebanese airspace over the sea off Tyre in an easterly direction as far as the Mar`ayun area and circled over the South. They then left Lebanese airspace over `Alma al-Sha`b.

Between 1430 hours and 1505 hours, two enemy Israeli warplanes violated Lebanese airspace over `Alma al-Sha`b in a northerly direction as far as Tyre and circled over the South. They then left Lebanese airspace over `Alma al-Sha`b.

On 10 October 2007, between 1120 hours and 1235 hours, two enemy Israeli warplanes violated Lebanese airspace over Kafr Kila and circled over Shikka, al-Harmal and the South. They then left Lebanese airspace over `Alma al-Sha`b.

Between 2300 hours and 2355 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off Sidon and circled over Sidon and Beirut. It then left Lebanese airspace over the sea off al-Naqurah.

On 11 October 2007, between 0057 and 0235 hours, two enemy Israeli warplanes violated Lebanese airspace over Kafr Kila and circled over Jubayl and the South. They then left Lebanese airspace over `Alma al-Sha`b.

Between 1015 hours and 1120 hours, two enemy Israeli warplanes violated Lebanese airspace over Rumaysh and circled over all southern regions. They then left Lebanese airspace over `Alma al-Sha`b.

On 12 October 2007, between 1348 hours and 1510 hours, two enemy Israeli warplanes violated Lebanese airspace over Dayr Mimas in a northerly direction and circled over all southern regions. They then left Lebanese airspace over Rumaysh.

Between 2114 hours and 2320 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off al-Naqurah in a northerly direction and circled over the sea off Beirut. It then left Lebanese airspace over the sea off al-Naqurah.

On 14 October 2007, between 1330 hours and 1520 hours, two enemy Israeli warplanes violated Lebanese airspace over al-Naqurah and circled over Jubayl and the southern regions. They then left Lebanese airspace over `Alma al-Sha`b.

Between 2002 hours and 2150 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off Tyre and circled over the sea between Beirut and the South. It then left Lebanese airspace over the sea off al-Naqurah.

Sea violations

None.

Acts of aggression in the field

On 8 October 2007, between 1925 and 2000 hours, the Israeli enemy shone a searchlight from its Zarit barracks position towards the Mirwahin-Jabal Balat-Ramiyah triangle.

I. Introduction

1. In the report of the Secretary-General on the extension of premises of the International Court of Justice and the draft supplementary agreement between the United Nations and the Carnegie Foundation concerning the use of the Peace Palace at The Hague (A/C.5/52/16), it had been concluded that the enlargement of the premises would result in amendments to article II of the Agreement, which sets out the annual contribution payable by the United Nations to the Foundation, and article IV, which describes the accommodations at the Peace Palace made available to the Court.

2. Subsequently, the General Assembly, in section VII of its resolution 52/222 of 22 December 1997, approved the draft supplementary agreement between the United Nations and the Carnegie Foundation concerning the use of the Peace Palace at The Hague (ibid., annex).

3. In accordance with article II of the Supplementary Agreement, the annual contribution is scheduled for review after a period of five years. Upon the request of the Carnegie Foundation, consultations between the United Nations on the review of the contribution of the Foundation had proceeded. An agreement on the terms of a new supplementary agreement was concluded in August 2007. The present report describes the provisions of the agreement reached, and is submitted in accordance with the prevailing procedures for the approval of the General Assembly.

II. Historical background of the agreement

4. The original agreement concluded between the United Nations and the Carnegie Foundation, dated 21 February 1946, was subsequently approved by the General Assembly in its resolution 84 (I) of 11 December 1946 for occupancy of the original premises (formerly occupied by its predecessor, the Permanent Court of International Justice) by the International Court of Justice. It stipulated payment by the Court of an annual contribution of 48,000 Netherlands florins (F.) for the use of certain designated premises in the Peace Palace. That sum was increased to F. 68,400 by the Assembly in its resolution 586 (VI) of 21 December 1951, in which it approved a supplementary agreement in order to offset the devaluation of the guilder. Subsequently, another supplementary agreement was approved by the Assembly under the terms of resolution 1343 (XIII) of 13 December 1958, by which the annual contribution was increased to F. 100,000 as a result of increased costs of maintenance of the Peace Palace.

5. The last change to the Supplementary Agreement was approved by the General Assembly in its resolution 52/222, increasing the annual contribution to F. 1,843,582 net. This adjustment to the annual contribution reflects, in part, the additional operating cost of the enlarged premises put at the disposal of the Court. Based on this Supplementary Agreement, the contribution has been adjusted annually by inflation. Accordingly, the amount had been adjusted over the period 1997 through 2005 to 1,019,662 euros (€).

III. Proposed changes to the existing agreement

A. Article II

6. Based on the recently concluded consultations between the two organizations, an amendment to article II of the Supplementary Agreement, which establishes the annual contribution payable by the United Nations to the Carnegie Foundation for premises occupied by the Court in the Peace Palace, is proposed, reflecting a change in the amount stated therein to €1,152,218 net representing a 13 per cent increase over the 2005 annual contribution.

7. The significant change reflects the analysis of major operating costs and the conclusion that the costs of three components, namely security operations, cleaning and utilities, increased at a rate greater than the inflation adjustments applicable to the annual contribution since its revision in 1997. It was agreed that the base amount will continue to be subject to annual increases relating only to inflation, and will be reviewed after a period of five years from the date of commencement.

B. Article IV

8. Regarding article IV of the Supplementary Agreement, the following provisions have been agreed between the United Nations and the Carnegie Foundation and are proposed to be included:

(a) The percentage of space from the Peace Palace allocated to the International Court of Justice has been determined at 50.06 per cent, at the outset of the term of the revised Supplementary Agreement;

(b) The detailed space allocation is included in article IV of the Supplementary Agreement. In this respect article IV of the Supplementary Agreement shall refer to a detailed schedule of space occupied by the International Court of Justice at the time of agreement;

(c) Any requests for modification of area occupied (either increase or decrease) would be processed through a formal exchange of letters involving a request, offer and acceptance procedures;

(d) Once a modification has been agreed, the table of occupied area would be modified to reflect the change;

(e) Any changes in the area occupied by the International Court of Justice during the term of the agreement (increase or decrease) will be assessed according to the base amount (expense per square metre);

(f) The implementation of overall security arrangements is the responsibility of the Carnegie Foundation and the operational costs shared on a pro rata basis;

(g) Capital investments and special projects (e.g. additional security required for an event) shall be accounted for separately from general expenses and charged directly to the organization responsible;

(h) For purposes of the supplementary agreement, the area and operating expenses for the new Academy Building have been excluded. The Carnegie

Foundation will ensure the operating expenses related to the new building are maintained separately and specifically identified in subsequent financial statements.

IV. Effective date of implementation

9. The draft supplementary agreement reflecting the proposed changes is contained in the annex to the present report.

10. As part of the consultations between the United Nations and the Carnegie Foundation, and given the lapse of time between the proposed date of the five-year review in 2002 to the conclusion of the negotiations, it has been agreed that the new agreement will take effect 1 July 2006. The Foundation has been informed that the changes to the Agreement as contained in the present report are subject to the approval of the General Assembly.

V. Financial implications for the bienniums 2006-2007 and 2008-2009

11. The proposed revision to the annual contribution contained in article II of the draft supplementary agreement would result in additional requirements estimated at $251,200 and $552,000, under section 7, International Court of Justice, of the programme budget for the biennium 2006-2007, and the proposed programme budget for the biennium 2008-2009, respectively. It is proposed that the requirements for the current biennium would be reflected in the second performance report of the programme budget for the biennium 2006-2007. As for the biennium 2008-2009, the estimated requirement of $552,000 would be considered in the context of the recosting of the proposed programme budget for the biennium 2008-2009 prior to determination of the initial appropriations to be approved by the General Assembly in December 2007.

VI. Action to be taken by the General Assembly

12. **The General Assembly is requested to:**

(a) Approve the amendments to the Supplementary Agreement as contained in the annex to the present report;

(b) Take note that the additional requirements resulting from the revised annual contribution from the United Nations to the Carnegie Foundation for the use of the Peace Palace by the International Court of Justice at The Hague would be reflected in the second performance report of the programme budget for the biennium 2006-2007;

(c) Take note that the requirements for the biennium 2008-2009 would be considered in the context of the recosting of the proposed programme budget for the biennium 2008-2009 prior to determination of the initial appropriations to be approved by the General Assembly in December 2007.

Annex

Draft supplementary agreement between the United Nations and the Carnegie Foundation concerning the use of the Peace Palace at The Hague

1. The United Nations and the Carnegie Foundation hereby agree that article II of the Agreement between the United Nations and the Carnegie Foundation concerning the use of the premises of the Peace Palace at The Hague, as contained in annex A to General Assembly resolution 84 (I) of 11 December 1946, as amended by the supplementary agreements contained in the annexes to Assembly resolutions 586 (VI) of 21 December 1951 and 1343 (XIII) of 13 December 1958, and article IV shall be amended to read as follows:

Article II

The annual contribution payable by the International Court of Justice in respect of the use of the Peace Palace is hereby fixed at 1,152,218 euros, subject to annual increases relating only to inflation. This base amount will be subject to review after a period of five years from the date of commencement.

Article IV

The Court shall, in addition to the judges' wing, have the permanent and exclusive use of the following rooms: No. 6, 7, 8, 9, 10, 11, 12, 13, 19, 50, 51, 56, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 308, 310, 405, 410, 411, 413, 414, 415, 416, 417, 418, 419, 421, 425, 426, 427, 428, 429, 430, 431, 433, 434, 435, 437, 439, 441, 442, 443, 444, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461 and archive spaces No. 302, 303, 305, 306, 307, 308, 310, 401, 402, 403, 404 and 405.

Whilst the Court and its Chambers are in session, the Court shall have the use of the Great Court Room (No. 2) with the antechamber (No. 3) as well as of rooms No. 1, 5 and 25. On days on which the Court is not meeting in public, the said premises may be used by other institutions.

The Court shall be entitled to the joint use of all the other premises of the Palace necessary for its work, in accordance with agreements to be concluded in each particular case with the Foundation.

Members of the Court and its officials shall enjoy on the same footing as the other members and officials of the other institutions occupying the Peace Palace:

1. The entrances and exits, vestibules, corridors and stairways;
2. The cloak-rooms and lavatories adjacent to the premises occupied;
3. The lifts and similar parts of the Palace intended for general use.

Any changes in the area occupied by the International Court of Justice during the term of the agreement (increase or decrease) will be assessed according to the base amount (expense per square metre).

The implementation of overall security arrangements is the responsibility of the Carnegie Foundation and the operational costs shared on a pro rata basis.

Capital investments and special projects shall be accounted for separately from general expenses and charged directly to the organization responsible.

The percentage of space allocated to the International Court of Justice has been determined at 50.06 per cent, at the outset of the term of this Agreement.

For purposes of the Supplementary Agreement, the area and operating expenses for the new Academy Building have been excluded. The Carnegie Foundation will ensure the operating expenses related to the new building are maintained separately and specifically identified in subsequent financial statements.

2. This Supplementary Agreement shall enter into force on 1 July 2006.

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General debate

Security Council
Sixty-second year

Letter dated 17 October 2007 from the Chargé d'affaires a.i. of the Permanent Mission of the former Yugoslav Republic of Macedonia to the United Nations addressed to the Secretary-General

I am writing to you in connection with the letter of the distinguished Permanent Representative of Greece to the United Nations, John Mourikis, addressed to you and circulated, at his request, as document A/62/470-S/2007/592 on 5 October 2007.

I would like to take this opportunity to recall that, although the Security Council, in its resolution 817 (1993), concluded that the Republic of Macedonia fulfilled all the criteria for membership in the United Nations laid down in Article 4 of the Charter, it imposed an unprecedented additional condition for membership, namely, that the State would be provisionally referred to as "the former Yugoslav Republic of Macedonia" pending settlement of the difference that had arisen over the name. Even though Macedonian authorities were aware that such an additional condition ran contrary to the Advisory Opinion of the International Court of Justice of May 1948 (endorsed by the General Assembly in its resolution 197 (III)), ever since the discussions started, we have been demonstrating strong commitment to engage constructively and in good faith in the talks with Greece to settle the difference over the name. May I recall at this point that we have made a number of concessions, all in the spirit of good-neighbourly relations. Furthermore, we openly stated that we found the last proposal made by your Personal Envoy, Matthew Nimetz, a good basis for a settlement.

It is in this context that I wish to reiterate once again the readiness of the Republic of Macedonia to discuss further the so-called double formula solution. In the light of the fact that the issue is primarily of a bilateral nature, this implies that, together with Greece, we should work on finding an acceptable compromise formula for our bilateral relations.

I would like to assure you that the Republic of Macedonia will continue to uphold the principles and values enshrined in the Charter of the United Nations and that advancement of cooperation and good-neighbourliness will remain among the top priority issues on our foreign policy agenda.

07-55493 (E) 221007

I should be grateful if you would arrange for the present letter to be circulated as a document of the General Assembly, under agenda item 8, of the Security Council.

(*Signed*) Goran **Stevcevski**
Chargé d' affaires a.i.

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Sixty-second session
Agenda item 70 (c)
Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Situation of human rights in Myanmar

Report of the Secretary-General*

Summary

The present report is submitted pursuant to paragraph 5 of General Assembly resolution 61/232. During the reporting period, two visits to Myanmar were undertaken in the context of the Secretary-General's good offices mandate. Following his first visit in May 2006, the Under-Secretary-General for Political Affairs undertook a second visit from 9 to 12 November 2006 at the invitation of the Government. On 22 May 2007, the Secretary-General designated his Special Adviser on the International Compact with Iraq and Other Political Issues and former Under-Secretary-General for Political Affairs, Ibrahim Gambari, to continue to pursue the good offices on his behalf. From June to August 2007, the Special Adviser engaged in extensive consultations with key interested countries, with a view to returning to Myanmar as soon as possible. In response to the demonstrations and crisis that broke out in the country on 19 August, which attracted unprecedented world attention and generated serious concerns within the international community, the Secretary-General on 26 September dispatched his Special Adviser to Myanmar, with the support of Myanmar's neighbours, the States members of the Association of Southeast Asian Nations (ASEAN) and the Security Council. The Special Adviser visited Myanmar from 29 September to 2 October. Each visit to Myanmar included meetings with both the Chairman of the State Peace and Development Council, Senior General Than Shwe, and Daw Aung San Suu Kyi.

* The present report is being submitted on 22 October 2007 so as to include as much up-to-date information as possible.

07-55746 (E) 251007

In the course of these visits, five key areas of concern to the United Nations and the international community were identified on which the Government of Myanmar is expected to deliver concrete results: (a) the release of Daw Aung San Suu Kyi, or at least an improvement in her detention conditions, and a security review leading to the release of all political prisoners; (b) the need for a genuinely inclusive, participatory and transparent political process through which all the people of Myanmar can contribute to shaping their country's future; (c) the need for better cooperation with the United Nations and other humanitarian agencies with a view to ensuring free and unhindered humanitarian access, including the possibility of a technical assessment mission to border areas; (d) a cessation of hostilities in conflict areas, including Kayin State; and (e) the need for continued cooperation with the International Labour Organization on the establishment of a joint mechanism to evaluate forced labour complaints.

Furthermore, the following guiding principles for the implementation of the good offices were welcomed by all key interested Member States: (a) the good offices is not an event but a process that will require sustained engagement through regular visits and consultations with all concerned; (b) Myanmar presents a complex situation that cannot be reduced to a single issue — however important that may be — but rather requires engagement on a broad range of political, human rights, humanitarian and socio-economic topics; (c) engagement cannot be an end in itself, but rather must yield concrete results; and (d) the international community needs to work together in order to encourage Myanmar to move in the right direction. Key interested countries also expressed concern to varying degrees about the situation in Myanmar, support for the Secretary-General's good offices and appreciation for the Special Adviser's efforts based on the above principles.

Against a few modest but encouraging steps taken by the Government over the past year, the tragic events of recent weeks constituted a serious setback for Myanmar. The main objectives of the Special Adviser's visit to Myanmar during the recent crisis were threefold: (a) to assess the situation on the ground in the wake of recent demonstrations; (b) to deliver clear messages from the Secretary-General to the Myanmar authorities at the highest level in response to the situation; and (c) to try to promote dialogue between the Government and the opposition as the best path to ending the crisis and achieving national reconciliation. While the Secretary-General took note of the initial steps taken by the Government to de-escalate the crisis following the Special Adviser's visit, he remains concerned about continuing reports of human rights violations, particularly the excessive use of force and arbitrary detentions, and calls upon the authorities to put an immediate end to any abuses. The Secretary-General welcomes the announcement by the Government of a possible meeting between Senior General Than Shwe and Daw Aung San Suu Kyi and the subsequent announcement of the appointment of a liaison officer to establish a channel of communication with her, as suggested by the Special Adviser. The Secretary-General urges both parties to display maximum flexibility in order to meet as soon as possible and stands ready to continue to use his good offices to help facilitate any efforts at dialogue. The Secretary-General further encourages the Government of Myanmar to seriously consider the recommendations made by his Special Adviser to address the underlying political and economic factors to the recent unrest, including the need to release all political prisoners, and the possibility of establishing a broad-based constitutional review commission and a broad-based poverty alleviation commission.

While the Secretary-General recognizes that the responsibility for the future of Myanmar rests ultimately with the Government and people of Myanmar, he believes that a return to the status quo that existed prior to the crisis would be unacceptable and unsustainable. The Secretary-General is thus committed to making every effort, including through the intensification of his good offices, so that the United Nations can continue to work in partnership with Myanmar and support its efforts towards national reconciliation, the transition to democracy and full respect for human rights as the necessary foundations for long-term stability and prosperity. This will require the sustained engagement of the United Nations, with the active support of the international community, including especially the countries in the region. In this connection, the Secretary-General welcomes the constructive role played by Myanmar's neighbours and the members of ASEAN, and encourages such efforts to continue. The Secretary-General also welcomes the Presidential statement adopted by the Security Council on 11 October 2007 (S/PRST/2007/37) in support of his good offices mandate, as well as Human Rights Council resolution S-5/1 on the situation of human rights in Myanmar. The more united the international community is, the better the prospects for arriving at the shared goals of peace, democracy and prosperity for the people of Myanmar.

I. Introduction

1. The present report is submitted pursuant to paragraph 5 of General Assembly resolution 61/232, in which the Assembly requested the Secretary-General, inter alia, to continue to provide his good offices and to pursue his discussions on the situation of human rights and the restoration of democracy with the Government and the people of Myanmar, including all relevant parties to the national reconciliation process in Myanmar, to offer technical assistance to the Government in this regard, and to report to the Assembly at its sixty-second session on the progress made in the implementation of the resolution. The report focuses on the good offices dimension of the resolution covering the period since the previous report of the Secretary-General to the General Assembly, of 9 October 2006 (A/61/504). A separate report by the Special Rapporteur on the situation of human rights in Myanmar has been circulated under the symbol A/62/223.

2. Since the previous report of the Secretary-General, further efforts have been made to engage the Myanmar authorities through the good offices mandate entrusted to the Secretary-General by the General Assembly. These efforts were intensified in response to the crisis that broke out in Myanmar on 19 August 2007.

3. In the follow-up to his first visit to Myanmar, from 18 to 20 May 2006, the Under-Secretary-General for Political Affairs was invited by the Minister for Foreign Affairs, Nyan Win, to visit Myanmar again from 9 to 12 November 2006. The main objectives of the Under-Secretary-General's second mission were: (a) to meet with the same key interlocutors as during his first visit in order to deepen and broaden the process of dialogue and engagement between Myanmar and the United Nations; (b) to directly convey the clear message at all levels of the need for concrete results in key areas of concern to the United Nations and the international community; and (c) to continue to exercise the Secretary-General's good offices as an avenue for building further confidence between Myanmar and the United Nations and encouraging Myanmar to demonstrate progress towards national reconciliation, the restoration of democracy and full respect for human rights.

4. As was the case during his first visit, the Under-Secretary-General met again with the Chairman of the State Peace and Development Council, Senior General Than Shwe, the Vice-Chairman of the State Peace and Development Council, Vice-Senior General Maung Aye, and Secretary-1 of the State Peace and Development Council Lieutenant-General Thein Sein, as well as the Minister for Foreign Affairs and the Ministers of Labour and Planning. He was also able to meet again with Daw Aung San Suu Kyi and, separately on United Nations premises, with members of the Executive Committee of her party, the National League for Democracy (NLD). On the sidelines of the Government-sponsored National Convention, he also met with delegates from 17 ceasefire ethnic groups, political parties and members of parliament. The Under-Secretary-General also received through the United Nations country team in Yangon messages from other relevant interlocutors, including a petition from representatives of the "88 Generation Students". On 27 November 2006, the Under-Secretary-General briefed the Security Council, at its request, on the outcome of his second mission.

5. On 12 January 2007, the Security Council considered a draft resolution (S/2007/14) on the situation in Myanmar, which was not adopted due to the negative vote of two permanent members of the Council.

6. On 22 May 2007, the Secretary-General designated his Special Adviser on the International Compact with Iraq and Other Political Issues and former Under-Secretary-General for Political Affairs, Ibrahim Gambari, to continue to pursue the good offices mandate on his behalf with the Government of Myanmar and all relevant parties to the national reconciliation process. Immediately following his designation, from June to August 2007, the Special Adviser engaged in a series of extensive consultations with key interested Member States — including China, France, India, Indonesia, Japan, Malaysia, the Russian Federation, Singapore, Thailand, the United Kingdom of Great Britain and Northern Ireland and the United States of America, as well as the European Union — in order to ascertain their respective positions and promote support for the Secretary-General's good offices mission, with a view to returning to Myanmar as soon as possible. The Special Adviser also consulted with the Office of the United Nations High Commissioner for Human Rights (OHCHR), the International Labour Organization (ILO), and the International Committee of the Red Cross (ICRC). The Minister for Foreign Affairs of Myanmar subsequently invited the Special Adviser to return to Myanmar in the second week of November 2007.

7. Meanwhile, the Assistant Secretary-General and Deputy Emergency Relief Coordinator for Humanitarian Affairs, Margareta Wahlström, visited Myanmar from 3 to 6 April at the invitation of the Government for the purpose of discussing the humanitarian situation with Government counterparts and humanitarian partners; articulating the relationship of the Office of the Coordinator for Humanitarian Affairs with the newly appointed United Nations Humanitarian Coordinator in Yangon; and examining key issues related to access to vulnerable populations. The Secretary-General's Special Representative for Children and Armed Conflict, Radhika Coomaraswamy, also visited Myanmar from 25 to 29 June at the invitation of the Government to review the implementation of the Secretary-General's mandate pursuant to Security Council resolution 1612 (2005). The authorities have continued to deny the requests for a visit by the Special Rapporteur on the situation of human rights in Myanmar, Paulo Sérgio Pinheiro, to the country.

II. Content and outcome of discussions

8. In the course of his second mission, in November 2006, the Under-Secretary-General for Political Affairs emphasized in all his discussions that while his first visit six months earlier had re-established dialogue between Myanmar and the United Nations after almost three years without high-level contacts, too little progress had been made since then on issues which had been discussed with the senior leadership and Government. He made it clear that expectations were high for Myanmar to demonstrate concrete progress in five key areas of concern to the United Nations and the international community: (a) the release of Daw Aung San Suu Kyi, or at least an improvement in her detention conditions, and a security review leading to the release of all political prisoners; (b) the need for a genuinely inclusive, participatory and transparent political process through which all the people of Myanmar can contribute to shaping their country's future; (c) the need for better cooperation with the United Nations and other humanitarian agencies with a view to ensuring free and unhindered humanitarian access, including the possibility of a technical assessment mission to border areas; (d) a cessation of hostilities in conflict areas, including Kayin State; and (e) the need for continued cooperation

with the International Labour Organization (ILO) on the establishment of a joint mechanism to evaluate forced labour complaints. Specific recommendations relating to humanitarian action, which were followed up on by the Assistant Secretary-General for Humanitarian Affairs during her visit in April 2007, included the opening of dialogue with the Government on the operational environment inside the country for humanitarian actors, an interministerial meeting with the United Nations country team, the appointment of a liaison officer at the political level to address humanitarian issues, and a United Nations inter-agency humanitarian assessment mission to Kayin State.

9. Although the Government did not reject any of the above recommendations, it consistently emphasized the complexity of Myanmar's political and economic challenges and the Government's efforts to address such challenges, including through its seven-step political roadmap to democracy, starting with the completion of the National Convention. At the same time, the Government repeatedly reaffirmed that cooperation with the United Nations is a cornerstone of Myanmar's foreign policy. In terms of results, Myanmar's response has been mixed.

10. Among the positive developments, the Secretary-General welcomed the agreement reached between the Government of Myanmar and ILO on 26 February 2007 on the establishment of a mechanism to address forced labour complaints as a good example of what can be achieved through mutual cooperation. The agreement is being implemented to the mutual satisfaction of ILO and the Government, and the ILO liaison capacity in Yangon has also been strengthened. Another example of cooperation between Myanmar and the international community is the implementation of the Three Diseases Fund to combat malaria, tuberculosis and HIV/AIDS in Myanmar. The Fund, which is supported by six donors so far (Australia, the European Commission, the Netherlands, Norway, Sweden and the United Kingdom) with pooled funds of US$ 100 million over five years, is managed by the United Nations Office for Project Services (UNOPS). Drug reduction is another area where Myanmar has steadily been making significant progress over the past few years, although the 2007 increase in poppy cultivation calls for continued vigilance and sustained cooperation between the Government and the United Nations Office on Drugs and Crime (UNODC). On the whole, the Government has demonstrated greater openness to United Nations actors across a range of activities that are essential for the well-being of the people of Myanmar. Both the Assistant Secretary-General for Humanitarian Affairs and the Secretary-General's Special Representative for Children and Armed Conflict were encouraged by their findings during their visits and are planning follow-up visits with a view to working with the Government to implement specific recommendations pertaining to their respective mandates.

11. On the political front, the resumption of the National Convention for its final session on 18 July 2007 raised expectations that the Government would seize the opportunity to engage in an inclusive, participatory and transparent dialogue with all relevant parties to the national reconciliation process on the country's future constitutional framework, as encouraged by the Secretary-General. While noting the completion of the Convention on 3 September 2007 as the first step in the Government's seven-step political roadmap, serious concerns remain about the exclusive nature of the process to date and about provisions reportedly adopted at the Convention that would seemingly run counter to the objectives of national reconciliation and democratization.

12. During his consultations with key interested Member States from June to August 2007, the Special Adviser underscored four principles guiding the good offices efforts: (a) good offices is not an event but a process that will require sustained engagement through regular visits and consultations with all concerned; (b) Myanmar presents a complex situation that cannot be reduced to a single issue — however important that may be — but rather requires engagement on a broad range of political, human rights, humanitarian and socio-economic topics; (c) engagement cannot be an end in itself, but rather must yield concrete results; and (d) the international community needs to work together in order to encourage Myanmar to move in the right direction. In response, key interested Member States conveyed two basic messages to the Special Adviser: concern to varying degrees about the situation in Myanmar; and support for the Secretary-General's good offices and appreciation for the Special Adviser's efforts based on the above principles. Beyond expressions of support, the Special Adviser also found a readiness to proactively consider ways of working with one another and with Myanmar to find solutions for moving forward.

III. Recent developments

13. The sudden announcement by the Government on 19 August 2007 of a sharp increase in fuel prices was followed by peaceful demonstrations against the Government's economic policies and overall political and socio-economic conditions in the country. The demonstrations, which also coincided with the completion of the National Convention on 3 September, spread from Yangon to other cities and quickly grew in size when monks started marching in protest against the Government's initial response to the demonstrators, which included the arrest of several 88 Generation Students leaders, activists and members of the opposition. According to some reports, between 50,000 and 100,000 people were peacefully demonstrating in the streets of Yangon, Mandalay and other cities, including several thousand monks and nuns. As demonstrations continued to grow, the authorities moved to suppress the peaceful protests, including by deploying security units throughout Yangon and other cities and by declaring a ban on public assembly as well as a curfew. Although the authorities initially showed restraint in their handling of the situation, by 24 September media reports indicated increasing numbers of casualties among demonstrators. While the authorities appear to have used non-lethal force in some instances to disband the peaceful protestors, the reported number of casualties among demonstrators raise concern about the excessive use of force and ill treatment by the security forces.

14. In response to the crisis, the Secretary-General issued statements expressing his concern at the escalation of tensions on the ground, making clear that the Government's response to the demonstrations ran counter to the spirit of Myanmar's cooperation with his good offices, and calling for maximum restraint and dialogue. The United Nations High Commissioner for Human Rights and the Special Rapporteur on the situation of human rights in Myanmar also joined in calling for the release of all those arrested during the demonstrations, including monks, 88 Generation Students leaders and members of the opposition and calling for an end to the use of force against peaceful demonstrators.

15. On 26 September 2007, the Secretary-General dispatched his Special Adviser to the region in anticipation of an invitation from the Government of Myanmar for him to visit the country. The Special Adviser visited Myanmar from 29 September to

2 October. Within the context of the Secretary-General's good offices mandate, the objectives of the Special Adviser's mission were three-fold: (a) to assess the situation on the ground in the wake of recent demonstrations; (b) to deliver clear messages from the Secretary-General to the Myanmar authorities at the highest level in response to the situation; and (c) to try to promote dialogue between the Government and the opposition as the best path to ending the crisis and achieving national reconciliation.

16. As was the case during each of his previous visits to Myanmar in his capacity as Under-Secretary-General for Political Affairs, the Special Adviser was able to meet with Senior General Than Shwe and twice with Daw Aung San Suu Kyi. He also met with Vice-Senior General Maung Aye, General Thura Shwe Mann and Acting Prime Minister Lieutenant-General Thein Sein, as well as the Ministers of Information and Culture and the Deputy Minister for Foreign Affairs. Although he was not able to meet with other relevant interlocutors — despite repeated requests — he did receive messages from many groups and individuals, including from representatives of monks and the 88 Generation Students. He also consulted with the United Nations country team and the ICRC delegation in Yangon. The Special Adviser and his delegation were also taken to a mass rally in Lashio (northeastern Shan State) organized in support of the Government's National Convention and the seven-step political roadmap. On 5 October, the Special Adviser briefed both the President of the General Assembly and the Security Council, at its request, on the outcome of his mission. The Secretary-General also addressed the Security Council on that occasion.

17. By the time the Special Adviser's mission started, the protests on the streets of Yangon had been largely put down. By the Government's own account, up to a dozen people were killed (including a Japanese journalist), several dozen wounded and over two thousand arrested. Unconfirmed reports, however, put the number of casualties higher. Of great concern to the United Nations and the international community are continuing reports of abuses being committed by security and non-uniformed elements, particularly at night during curfew, including raids on private homes, beatings, arbitrary arrests and disappearances. There have also been reports of mass relocation outside Yangon of monks arrested in the course of the demonstrations and of monasteries that remain blockaded. The United Nations Resident Coordinator in Yangon reported that three national United Nations staff and one dependant were arrested and detained. This was brought to the attention of the authorities at the highest level, and the individuals concerned were subsequently released. The United Nations office in Yangon has also received requests from people asking for a safe place to hide.

18. On 2 October 2007, the Human Rights Council held a special session to consider the unfolding human rights situation in Myanmar. At that session, the Council unanimously adopted resolution S-5/1, in which, inter alia, it deplored the violent repression of peaceful demonstrations and urged the Government of Myanmar to release detainees and other longer-term political prisoners, lift restrictions on fundamental freedoms and engage in dialogue with all parties to achieve genuine national reconciliation, democratization and the establishment of the rule of law. The Council encouraged the Government of Myanmar and the Office of the United Nations High Commissioner for Human Rights to engage in a dialogue with a view to ensuring full respect for human rights, and requested the Special Rapporteur on the situation of human rights in Myanmar to assess the current

situation and to monitor implementation of the resolution, including by seeking an urgent visit to Myanmar. The Secretary-General urges the Government of Myanmar to extend its full cooperation to the Special Rapporteur and to invite him to visit the country at the first opportunity.

19. Amid ongoing demonstrations and acts of repression by the authorities, the Special Adviser was able to deliver clear and strong messages on behalf of the Secretary-General directly to the authorities at the highest level. He emphasized the changing domestic, regional and international context within which his mission was taking place with the clear and strong support of Myanmar's neighbours, ASEAN countries and the Security Council. Secondly, the Special Adviser expressed in the strongest possible terms the Secretary-General's and the international community's deep concern about the events and made specific recommendations for immediate steps to de-escalate tensions. These include putting an end to night raids and arrests during curfew; lifting the curfew as soon as possible; releasing all those arrested during the demonstrations; allowing access to clinics for those wounded during demonstrations; withdrawing military forces from the street; ensuring respect for human rights and the rule of law in the exercise of law enforcement, in accordance with international standards; allowing ICRC to have access to persons detained and to assist in tracing missing people; and putting an immediate end to raids on monasteries.

20. In his discussions with the Government, the Special Adviser was told that the increase in fuel prices could not in itself have triggered the demonstrations unless they were instigated by a small minority of elements opposed to the Government and supported by external forces. The Special Adviser was also told by the Government that the demonstrations were limited to Yangon and Mandalay, while the rest of the country had remained calm; that the authorities had shown the utmost restraint in handling the situation; and that most of those arrested could be expected to be released shortly after investigation and interrogation. By the end of the Special Adviser's mission, the Myanmar authorities announced a relaxation of the curfew in Yangon and Mandalay, and reports indicate that visible military presence in the streets has been reduced. The Government also reported that, as of 5 October, a total of 2,095 persons arrested in the course of demonstrations had been released, including 728 monks, and that more releases would follow, as a direct result of the Special Adviser's request to the authorities on behalf of the Secretary-General. The situation in the wake of the demonstrations remains of serious concern, however, in the light of continuing reports of human rights violations being committed by security and non-uniformed personnel, particularly at night, including raids on private homes, intimidation, beatings, arbitrary arrests and disappearances.

21. With regard to the promotion of dialogue, the Special Adviser emphasized the need for the Government to address without delay the political and socio-economic factors underlying the demonstrations through specific mid- and long-term measures, predicated on all-inclusive dialogue among all stakeholders and with reference to the five key areas of concern to the United Nations and the international community identified during his visit in November 2006. His specific recommendations in this regard included an all-inclusive national reconciliation process; the release of Daw Aung San Suu Kyi and all other political prisoners; a signal of the Government's willingness to engage in dialogue with Daw Aung San Suu Kyi; the appointment of a liaison officer to establish a channel of

communication with her; the establishment of a broad-based constitutional review mechanism; and the establishment of a broad-based poverty alleviation commission.

22. The visit allowed the Special Adviser to resume the role he had started to play during his previous visit in his capacity as Under-Secretary-General for Political Affairs, by conveying messages between the senior leadership and Daw Aung San Suu Kyi. The Special Adviser was allowed to meet with her a second time after meeting with Senior General Than Shwe, and was able to have messages reported back from her to the senior leadership. On 4 October 2007, the Government announced that Senior General Than Shwe was prepared to meet with Daw Aung San Suu Kyi, although with certain conditions. On 8 October, the Government announced the appointment of the Deputy Minister of Labour, Aung Kyi, as a liaison officer with Daw Aung San Suu Kyi, as suggested by the Special Adviser during his visit on behalf of the Secretary-General.

IV. Observations

23. Against the few modest but encouraging steps taken by the Government over the past year, the tragic events of recent weeks clearly constituted a serious setback for Myanmar. In his statement to the Security Council on 5 October 2007, the Secretary-General reiterated that the use of force against peaceful demonstrators was abhorrent and unacceptable. He remained deeply concerned about reports of continued human rights violations, particularly the excessive use of force and arbitrary detentions in the wake of the demonstrations, and the unknown predicament of the large number of individuals who were arrested without due process. The Secretary-General called upon the Government of Myanmar to heed the concerns and requests of the international community, as expressed by the Security Council, the United Nations High Commissioner for Human Rights and the Human Rights Council, such as the call to ensure immediate access to ICRC and other humanitarian personnel to all detainees, to conduct an independent and thorough investigation into the killings and enforced disappearances and to effectively engage in a constructive dialogue with the Human Rights Council and its special procedures, especially the Special Rapporteur on the situation of human rights of Myanmar. In this connection, it is a continuing source of regret that the Special Rapporteur has been denied access to the country for almost four years. The Secretary-General hopes that the Special Rapporteur will be able to fulfil his mandate and visit the country in the near future as part of Myanmar's cooperation with the United Nations.

24. Most regrettably, the Government's repressive response to the demonstrations comes at a time when Myanmar is striving to move forward towards national reconciliation and the restoration of democracy. In this regard, the marches by monks across the country over recent weeks appear to have provided a catalyst for the demonstrations to become explicitly political in nature. This should be understood in the context of the Government's systematic denial of the people's democratic aspirations since 1988, in the name of stability and security. Although the Government succeeded after 14 years in completing the Convention and insists that its roadmap enjoys broad support, the exclusion of key stakeholders and the failure to meet the expectations of key participants tend to undermine the credibility and legitimacy of the process. Of particular concern are reports that the Convention was concluded without accommodating some of the basic demands raised by ethnic

ceasefire groups, which would defeat the Government's efforts over the past 15 years to work with them through the National Convention process.

25. Unless the Government decides to open up and broaden the process that is to define Myanmar's future, the demands for greater inclusiveness, participation and transparency in order to accelerate the transition to democracy and civilian rule are likely to continue. In this context, the Secretary-General believes strongly that there should be opportunities in the period ahead to improve the outcome of the National Convention in ways that are more inclusive, participatory and transparent. A necessary first step for genuine national dialogue is the release of all political detainees. The future of Myanmar belongs to all the people of Myanmar, and it is therefore in the interest of the nation that all those who have a contribution to make should have the opportunity to do so. The specific recommendation to consider the establishment of a broad-based constitutional review mechanism is aimed at encouraging the Government to engage in a post-National Convention process of consultations that would enhance the credibility and legitimacy of the draft constitution to be submitted to referendum. The United Nations has experience in facilitating such a constitutional review process.

26. Now more than ever before, the Secretary-General believes that the Government of Myanmar should seize the opportunity to take bold actions towards democratization and respect for human rights. In addition to accelerating and broadening the national reconciliation process, a serious and comprehensive political dialogue between the Government and the political opposition is indispensable. One important outcome of the Special Adviser's mission in this regard is the announcement by the Government of a possible meeting between Senior General Than Shwe and Daw Aung San Suu Kyi and the subsequent announcement of the appointment of a liaison officer to establish a channel of communication with her. The Secretary-General welcomes this potentially positive development and urges both parties to display maximum flexibility in order to meet as soon as possible and engage in meaningful dialogue. The Secretary-General stands ready to continue to use his good offices to help facilitate any efforts at dialogue.

27. In addition to the imperatives of the political dispensation, the Secretary-General urges the Government to be more responsive to the extremely fragile humanitarian and socio-economic context within which the recent demonstrations and crisis broke out. Whatever the rationale for the Government's decision to suddenly increase fuel prices, the demonstrations that this decision apparently triggered reflect both the extreme economic vulnerability of the Myanmar people and the Government's apparent lack of consultations with the majority of the population that is affected by the reality of living conditions in Myanmar. It is clear that the demonstrations are the expression of deep and widespread discontent about prevailing socio-economic conditions in the country. This is particularly worrying at a time when Myanmar is experiencing a trend of accelerating impoverishment and deteriorating health standards, which are compounded by the growing inability of the social service structures to address the basic needs of the general population. Long-term stability anywhere depends in part on good governance, sound fiscal policies and wide consultations with the people on the decisions affecting their lives. The recent events also underline the need for Myanmar to improve its basic economic management capacity, particularly as the country strives to join in the broader region's economic development.

28. In this regard, the recommendation put to the Government to consider establishing a broad-based poverty alleviation commission to identify and address socio-economic needs would be a useful vehicle for promoting national dialogue on ways to improve the overall "health" of the country. The work of United Nations agencies in-country has been recognized as useful by the authorities, and every effort needs to be made to continue to find areas of mutual interest where progress can be made, including in the areas of health, education and drug reduction. While the humanitarian and political actions need to remain coordinated, it is essential not to let humanitarian actions become hostage to political conditions, and vice versa. Within the humanitarian sphere, the objective is to increase humanitarian access, while at the same time enhancing the understanding of humanitarian principles. This will require not less but more engagement from the humanitarian community. The Secretary-General believes that any serious steps on the political front should be acknowledged by the international community through the provision of incentives in the socio-economic area.

29. Ultimately, the responsibility for the future of Myanmar rests with the Government and people of Myanmar. The world, however, is watching closely to see how that responsibility will be exercised in the interest of all the people of Myanmar. No country today can afford to act in isolation from the standards by which all members of the international community are held, and what happens inside Myanmar can have serious international repercussions. A return to the status quo that existed prior to the crisis would therefore be unacceptable and unsustainable. The world needs a peaceful and prosperous Myanmar that can contribute to the development of the region and play a useful role in the international community. The Secretary-General is thus committed to making every effort, including through the intensification of his good offices, so that the United Nations can continue to work in partnership with Myanmar and support its efforts towards national reconciliation, the transition to democracy and full respect for human rights as the necessary foundations for long-term stability and prosperity.

30. Any sustained engagement by the United Nations will require the active support of the international community, including especially the countries in the region. The Secretary-General therefore welcomes the constructive role played by Myanmar's neighbours and by the members of ASEAN, and encourages such efforts to continue. The Secretary-General also welcomes the adoption of resolution S-5/1 on the situation of human rights in Myanmar by the Human Rights Council and of the Presidential statement by the Security Council on 11 October in support of his good offices mandate. The more united the international community is, the better the prospects for arriving at the shared goals of peace, democracy and prosperity for the people of Myanmar.

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Letter dated 19 October 2007 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 19 October 2007, addressed to you by Kemal Gökeri, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 22, and of the Security Council.

(*Signed*) Baki **İlkin**
Ambassador
Permanent Representative

07-55926 (E) 251007

Annex to the letter dated 19 October 2007 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a copy of the Turkish Cypriot revised package of proposals on confidence-building measures, which was submitted to you on 16 October 2007, at your meeting with Mehmet Ali Talat, President of the Turkish Republic of Northern Cyprus.

I would be grateful if the text on the confidence-building measures could be circulated as a document of the General Assembly, under agenda item 22, and of the Security Council.

(*Signed*) M. Kemal **Gökeri**
Representative
Turkish Republic of Northern Cyprus

Enclosure

Turkish Cypriot revised package of proposals on confidence-building measures

16 October 2007

The Turkish Cypriot side remains committed to the efforts to seek a comprehensive settlement of the Cyprus problem under the auspices of the good offices mission of the United Nations Secretary-General. To this end, we believe that the initiation of certain confidence-building measures will be conducive to preparing the ground for the start of full-fledged negotiations aimed at a comprehensive settlement.

In our letter dated 6 July 2006, we proposed the following confidence-building measures:

1. **Deconfrontation**: to enter into intensive discussions with the United Nations Peacekeeping Force in Cyprus (UNFICYP) with a view to extending the 1989 Unmanning Agreement to cover those areas of the buffer zone where the two sides are in close proximity to each other, on the basis of the updated proposals submitted by UNFICYP in June 1996.

2. **Military exercises**: the military authorities on both sides to refrain from conducting any military exercise involving mechanized and battle tank companies along and within sight or hearing range of the buffer zone. We propose that this zone extend 1.5 kilometres to the north and to the south of the buffer zone.

3. **Lokmacı (Ledra Street) crossing point**: cooperation with UNFICYP, with a view to completing the opening of the crossing point at Lokmacı. The Turkish Cypriot side is prepared for, and has indeed proposed, the opening of the crossing point by following the same procedures as in the other crossing points opened to date. There should be no preconditions for the opening of the crossing point.

4. **Reconciliation Commission**: with a forward-looking and future-oriented mandate, the establishment of a Reconciliation Commission to promote understating, tolerance and mutual respect between Turkish Cypriots and Greek Cypriots. The Reconciliation Commission shall be composed of an equal number of Turkish Cypriots and Greek Cypriots.

Further to these measures, we propose the following additional confidence-building measures:

5. **New crossing points and passages**:

   After the opening of the Lokmaci crossing point:

   (a) opening of the Yeşilırmak (Limnitis) crossing point;

   (b) ensuring free passage to and from Erenköy (Kokkina).

   This confidence-building item presumes that the long-pending issue of the Yiğitler (Arsos)-Pile (Pyla) road will be concluded without further delay. The Turkish Cypriot side is of the view that in this particular issue there has been a long-standing injustice in the treatment of the two sides

by the United Nations. As is known, UNFICYP has given its permission for the completion of the Voroklini (Voraglini)-Pile (Pyla) road, providing an important facility to the Greek Cypriots of Pile. Objection to a similar facility to the Turkish Cypriot inhabitants of the village continues to put them in a disadvantaged situation, compared to the Greek Cypriots of Pile.

6. **Cooperation through UNFICYP**: taking into consideration the reluctance of the Greek Cypriot side to cooperate with the Turkish Cypriot side on issues of mutual concern, UNFICYP would serve as a facilitator on areas that require cooperation between the two sides on equal footing, including transboundary issues such as human trafficking and human smuggling, narcotics and crime.

United Nations A/62/500–S/2007/626

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Agenda item 22
Question of Cyprus

Security Council
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Letter dated 19 October 2007 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 19 October 2007, addressed to you by Kemal Gökeri, representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the letter could be circulated as a document of the General Assembly, under agenda item 22, and of the Security Council.

(*Signed*) Baki İlkin
Ambassador
Permanent Representative

07-55917 (E) 251007

Annex to the letter dated 19 October 2007 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letter dated 5 October 2007, addressed to you by the Greek Cypriot representative and circulated as a document of the General Assembly and of the Security Council (A/62/472-S/2007/595), which yet again contains well-known allegations of violations of "international air traffic regulations and the national airspace of the Republic of Cyprus", and to bring to your kind attention the following.

As stated in our previous communications addressed to you, repeated allegations by the Greek Cypriot side of so-called "airspace violations" are totally unfounded and are rejected in toto by our authorities. The present allegations do not merit a detailed reply as they are of a similar nature. However, I wish to emphasize, once again, that flights within the sovereign airspace and flight information region of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the appropriate authorities of the State. The Greek Cypriot administration in South Cyprus has no jurisdiction or right of say over flights within the national airspace of the Turkish Republic of Northern Cyprus. Furthermore, it should be emphasized that allegations of so-called violations of air traffic regulations are invalid, as the civil aviation authority of the Turkish Republic of Northern Cyprus is the only competent authority to provide air traffic and aeronautical information services.

The Greek Cypriot Administration should be reminded, once again, that its counterpart is, and has always been, the Turkish Cypriot side, not Turkey. I also deem it imperative to point out, once again, that the attitude demonstrated by the Greek Cypriot representatives in their constant repetition of false claims is nothing more than rhetoric, which unfortunately wastes the precious time and energy of the international community. They would do better to concentrate on taking concrete steps towards the achievement of a fair and just settlement in Cyprus within the context of your mission of good offices and on the basis of the established United Nations parameters and body of work.

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda item 22, and of the Security Council.

(*Signed*) M. Kemal **Gökeri**
Representative
Turkish Republic of Northern Cyprus

United Nations A/62/501

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Agenda items 54 (c) and 71 (a)

Sustainable development: International Strategy for Disaster Reduction

Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: strengthening of the coordination of emergency humanitarian assistance of the United Nations

Letter dated 22 October 2007 from the Permanent Representative of Nicaragua to the United Nations addressed to the Secretary-General

I have the honour to inform you that, for 50 consecutive days, Nicaragua has been experiencing heavy rains, as a result of which entire villages are at risk of being swept away by currents or buried by landslides. Accordingly, the authorities have requested that thousands of people be moved to temporary shelters.

As a result of the rains, 800 km of country roads have become impassable, isolating dozens of communities and preventing agricultural produce from being planted in areas affected by this climatic phenomenon. This, in turn, threatens to cause a famine next year.

Considering the phenomenon described in the two paragraphs above and the fact that Nicaragua has still not recovered from the battering it received from Hurricane Felix — which made landfall as a category 5 hurricane, the highest on the Saffir-Simpson scale, causing serious damage to the country's population and infrastructure — on 18 October 2007, the President of the Republic, Daniel Ortega Saavedra, issued Decree No. 99-2007 declaring a national state of disaster throughout the national territory (see annex).

Under Nicaraguan legislation, a national state of disaster is defined as a public emergency situation caused by an event which endangers persons by affecting their lives, health, assets, work or environment and which requires administrative arrangements, decision-making and availability of extra resources to mitigate and control the effects of the disaster.

07-55933 (E) 251007 261007

In view of the above, I should be grateful if you would have this letter and its annex circulated under agenda items 54 (c) and 71 (a) of the sixty-second session of the General Assembly.

(*Signed*) María **Rubiales de Chamorro**
Ambassador Extraordinary and Plenipotentiary
Permanent Representative

Annex to the letter dated 22 October 2007 from the Permanent Representative of Nicaragua to the United Nations addressed to the Secretary-General

Decree No. 99-2007

The President of the Republic of Nicaragua,

CONSIDERING:

I

That in September and October, Nicaragua experienced three high-intensity weather systems, namely, Hurricane Felix, which made landfall as a category 5 hurricane (the highest on the international Saffir-Simpson scale) and whose impact was felt in the North Atlantic Autonomous Region, followed by heavy rains associated with a band of low pressure and, currently, the area of barometric depression that is affecting the west and centre-north of the country, causing flooding;

II

That the President of the Republic decreed a state of disaster for the North Atlantic Autonomous Region and declared a green alert for the departments of León, Managua, Carazo, Rivas, Nueva Segovia, Madriz, Estelí, Jinotega and Matagalpa and a red and yellow alert for all the municipalities of Chinandega and that, until a few days ago, those alerts were being administered in conformity with the procedure established by law;

III

That the Government of Reconciliation and National Unity, through the Executive Secretariat of the National System for Disaster Prevention, Mitigation and Response (SINAPRED), identified the action that needed to be taken by regional, departmental and municipal governments (COREPRED, CODEPRED and COMUPRED) and sent SINAPRED representatives to the departments and other territories affected;

IV

That the impact of these intense phenomena and the record amounts of rainfall so far this month have caused serious damage to essential infrastructure, particularly the road network owing to landslides, floods and rivers overflowing their banks, to people and their property, and also serious environmental and economic damage, loss of human life and of crops;

V

That article 23 of Act No. 337 establishing the National System for Disaster Prevention, Mitigation and Response allows the President of the Republic to declare a state of disaster, at the suggestion of the National Committee or on his own initiative, defined as a public emergency situation caused by an event which endangers persons by affecting their lives, health, assets, work or environment and which requires administrative arrangements, decision-making and availability of extra resources to mitigate and control the effects of the disaster;

By virtue of the powers conferred on him by the Political Constitution,

has enacted the following Decree:

Declaration of a state of disaster throughout the national territory

Article 1. A state of disaster is hereby declared throughout the national territory.

Article 2. State ministries and decentralized bodies, within their areas of competence, shall take immediate steps to implement throughout the national territory, in the regions, departments and municipalities affected, programmes that contribute to offsetting the negative effects caused by the collapse of land communications and the destruction of housing and infrastructure, and to adopt measures to restore basic services for the population, and shall undertake reconstruction efforts.

Article 3. State ministries, with the support of the Nicaraguan Territorial Studies Institute (INETER), the Nicaraguan Institute for Urban and Rural Housing (INVUR), the Nicaraguan Institute for Municipal Development (INIFOM), the Emergency Social Investment Fund (FISE), the Nicaraguan Aqueduct and Sewage Company (ENACAL) and other State entities, with funds allocated under the General Budget Act of the Republic and with support sought and obtained from the international community, shall immediately embark on rehabilitation and reconstruction programmes, subprogrammes and projects for the national territory.

Article 4. Regional, departmental and municipal governments shall maintain the Committees for Disaster Prevention, Mitigation and Response in an operational state to ensure that, through coordinated action with the Central Government, appropriate care continues to be provided to evacuated persons who are housed in temporary shelters.

Article 5. The SINAPRED Executive Secretariat, the Civil Defence and other specialized bodies shall continue to ensure that search, rescue and recovery efforts are carried out for the affected population.

Article 6. This Decree shall enter into force as of this date. It shall be published in the Official Gazette.

Done in the city of Managua, Government House, on 18 October 2007.

(*Signed*) Daniel **Ortega Saavedra**
President of the Republic of Nicaragua